REMARKS

Claims 1-11 are currently pending in the above-identified patent application. Claims 1 and 7 have been amended to include that when specific files are requested, the content thereof is not changed during the transmission process. No new matter has been added by these changes since support therefor may be found on page 6, lines 1-5, on page 7, lines 3-5, and on page 7, lines 25-28, of the subject Specification, as originally filed. The first citation states: "The clearinghouse 110 allows each company to maintain their own separate databases without unnecessary duplication of data in two or more locations. In this manner, the clearinghouse server 110 may be used on a project by project basis. In other embodiments, the clearinghouse server 110 may be used by a company of multiple divisions in remote locations to manage the information transfer between divisions." For such an applications of the present claimed invention, it is required that the clearinghouse server not alter the requested file. In the second citation, it is stated that: "The clearinghouse 110 may send an HTTP request to the server 116. The server 116 may retrieve the requested file from the database 118 and then convert the file into XML or other transmittable format.", while the third citation states: "A 'file' may be a discrete file as it is saved by an operating system, or the 'file' may be a record in a database, an image or portion of an image, a block or portion of a database, or any other computer readable data that could be shared between users." Again, format conversion is required for such sharing of files, as opposed to content modification.

In the subject Office Action, claims 1-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca et al. (hereinafter, Cianfrocca; U.S. Patent No. 6,088,796) in view of Ananian et al. (hereinafter, Ananian; U.S. Patent No. 6,922,701 B1), since the Examiner stated that regarding claim 1, Cianfrocca discloses a method of managing data in a plurality of disparate and diverse databases (See, Fig. 1, items 101-110, and Col. 8, lines 50-60 of Ananian.) comprising: providing a first database located in a first location (See, Fig. 1, item 105, Col. 6, lines 11-14, of Cianfrocca.) and further being located behind a first firewall (See, Fig. 1, item 104, Col. 6, lines 13-14, of Cianfrocca.); providing a

second database located in a second location (See, Fig. 1, item 106, Col. 6, lines 14-17, of Cianfrocca.) and further being located behind a second firewall (See, Fig. 1, item 104, lines 14-17, Cianfrocca.); providing a clearinghouse server (See Fig. 1 and 4, item 103, Web Server Running Messenger System, Cols. 6 and 17, lines 17-20 and 1-2, respectively, of Cianfrocca.) located outside of said first firewall and said second firewall (See Fig. 1, item 104, Firewall, Col. 6, lines 19-22, of Cianfrocca.), said clearinghouse server having a clearinghouse database (See, Fig. 4, Col. 17, line 54, Database, of Cianfrocca.); providing a workstation located behind said first firewall (See, Col. 16, lines 24-28, of Cianfrocca.), said workstation having a clearinghouse interface program (See, Col. 16, lines 27-28, clients, Cianfrocca); and establishing communications between said clearinghouse interface program with said clearinghouse server (See, Col. 16, lines 24-26, of Cianfrocca.).

The Examiner continued that Cianfrocca does not explicitly teach indexing CAD data from the databases, transmitting request for a requested file, determining the location of said requested file, sending a request to second database for said file, converting said file to transmittable format, or transmitting said file; however, the Examiner continued that Ananian discloses a method and system for managing CAD files (See, Col. 2, lines 43-47, of Ananian.), including: a clearinghouse database comprising an index to at least a portion of CAD data in first database and at least a portion of CAD data in second database (See, Fig. 1, Cols. 9 and Col. 11, lines 19-23 and 4-8, respectively, of Ananian.); transmitting a request for a requested file from said clearinghouse interface program to said clearinghouse server (See, Col. 13, lines 14-30, of Ananian.); determining that said requested file is located in said second database by using said clearinghouse database (See, Col. 14, lines 2-4, Ananian.); sending a request from said clearinghouse server to said second database for said requested file (See, Col. 14, lines 35-38, Ananian.); converting said requested file to a first transmittable format (See, Cols. 3 and 7, lines 37-39, and 21-27, and 48-53; respectively, of Ananian.); and transmitting said requested file from said second database in said first transmittable format (See, Col. 20, lines 1-6, Ananian.). The Examiner concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to add

Ananian's functionality for sending and converting a CAD file to the system and method of Cianfrocca to let users manipulate, modify, and update different CAD format files. Further, the Examiner concluded, one of ordinary skill in the art at the time the invention was made would have been motivated to do so, in order to improve interaction between the client and the professionals throughout the construction process; to ensure consistent and informed client input, cost-effective decisions, while maintaining the client's visionary perspective (See, Col. 2, lines 10-17, of Ananian). In addition, the Examiner continued, the prior art suggests a successful outcome of this combination, such as, significantly reducing the time, complexity and uncertainty involved in the design of a structure (See, Col. 3, lines 43-45, Ananian.), improving interaction between the client and the builder throughout the construction process (See, Col. 3, lines 53-55, of Ananian.), acquiring a fully detailed build specification from a client (See, Col. 3, lines 58-60, of Ananian.), and reducing lengthy communications between the builder and the client, making the builder efficient and bale to focus on the core task; building the house (See, Col. 3, lines 61-64, of Ananian.) (Emphasis added by applicants.).

Applicants respectfully disagree with the Examiner concerning the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, for the reasons to be set forth hereinbelow.

Regarding claim 7, the Examiner asserted that Cianfrocca/Ananian discloses a system for sharing files across disparate databases comprising: a first server located behind a first firewall (See, Fig. 1, item 104, Col. 6, lines 13-14, of Cianfrocca.) and connected to a first database (See, Fig. 1, item 105, and Col. 6, lines 11-14, of Cianfrocca.) that contains a first set of files (See, Col. 9, lines 40-43, of Cianfrocca.); a second server located behind a second firewall (See, Fig. 1, item 104, and Col. 6, lines 14-17, of Cianfrocca.) and connected to a second database (See, Fig. 1, item 106, and Col. 6, lines 14-17, of Cianfrocca.) that contains a second set of files (See, Col. 19, lines 30-33, and application server components, of Cianfrocca.); a clearinghouse server (See, Fig. 1 and 4, item 103, and Web Server Running Messenger System, Cols. 6 and 17, lines 17-20 and 1-2, respectively, of Cianfrocca.) located outside of said first firewall and said second firewall (See, Fig.

1, item 104, and Firewall, Col. 6, lines 19-22, of Cianfrocca.); a clearinghouse database located on said clearinghouse server (See, Fig. 4, Col. 17, line 54, Database, of Cianfrocca.) and having an index to at least a portion of said first set of files in said first database and at least a portion of said second set of files in said second database (See, Fig. 1, Col. 11, lines 4-8, of Ananian.); a workstation located behind said first firewall (See, Col. 16, lines 24-28, of Cianfrocca.) and having a clearinghouse interface program capable of interfacing with said clearinghouse database on said clearinghouse server (See, Col. 16, lines 24-28, messenger system enabled application components are programs that call routines in the User Agent Library, of Cianfrocca.), said clearinghouse interface program further capable of sending a request for a specific file indexed in said clearinghouse database (See, Col. 13, lines 14-26, of Ananian.); said clearinghouse server further receiving said request for said specific file from said workstation (See, Col. 13, lines 29-30, of Ananian), determines that said specific file is located on said second database (See, Col. 14, lines 2-4, of Ananian.), and sends said request for said specific file to said second server (See, Col. 14, lines 35-38, of Ananian.); and said second server further receives said request for said specific file (See, Col. 7, lines 39-41, of Ananian.), locates said specific file in said second database (See, Col. 7, lines 65-67, of Ananian.), converts said specific file into a first transmittable format (See, Col. 8, lines 4-10, of Ananian.), and sends said specific file (See, Col. 20, lines 1-6, of Ananian.).

Applicants respectfully disagree with the Examiner Applicants respectfully disagree with the Examiner concerning the rejection of claim 7 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, for the reasons to be set forth hereinbelow.

The Examiner has rejected dependent claims 2-6 and 8-11 which depend from independent claims 1 and 7, respectively. Since applicants believe that claims 1 and 7 are patentable over Cianfrocca in view of Ananian for the reasons to be set forth hereinbelow, applicants believe that no response is required concerning dependent claims 2-6 and 8-11.

Turning now to the rejection of claims 1 and 7 under 35 U.S.C. 103(a) as being unpatentable over Cianfrocca in view of Ananian, the preamble of claim 1 recites in part: "A method of managing CAD data in a plurality of disparate and diverse databases ... ," while that for claim 7 recites in part: "A system for sharing files across disparate databases ... ."

The Abstract of Ananian recites: "A method for generating an interactive profile of a structure, such as a building, employing an interactive profile system ... A plan set, usually in a CAD format, is received into the interactive profile system, typically submitted by the user or client. ... The plan set is converted to a profile data set by the profiling engine. ... The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical descriptions of the plan set. ... The user directs a profile query to the application engine of the interactive profile system. ... ."

Column 4, lines 57-60 of Ananian states: "The generation of the interactive, enhanced profile database **40** is a key element of the present invention. To begin the formulation of the enhanced profiles, a plan set **50** is received into the interactive profile system **10**." In Col. 6, lines 39-46, of Ananian it is stated: "For the present invention, the enhanced data protocol is an internally standardized profile database format that enables the plan set **50** to be expanded and utilized by the interactive profile system **10**. ... The plan set is converted to the standardized data set by the profiling engine **30** of the interactive profile system." (Emphasis added by applicants.). Column 7, lines 4-15, state that: "It is possible that a digital file comprising the plan set **50** can be collected without linked attributes, as would be required for 'non-Microstation' software application such as AutoCAD™ ... . The data file of the plan set can be translated, either manually or with the aid of a program, to the correct level, color, line style, and line weight to match the enhanced data protocol utilized by the profiling engine **30**. This standardized protocol, preferably in CAD format, or alternatively an SVG (scalable vector graphic) format, facilitates linkage and extraction to the enhanced profile database **40**." (Emphasis added by applicants.).

Column 13, lines 15-37 recite: "The user **25** can direct a profile query **177** to the application engine **20** of the interactive **16** profile system **10**, as shown in FIG. 1. The term "query" is broadly interpreted to include requests to modify records of the enhanced profile database. ... Therefore, the term "query" can also apply to an inquiry into the enhanced profile database, relating to a specific component or to the interrelationship between one or more building components. The application engine **20** responds to the profile query **177** with a profile response **178**. The profile response includes a listing of at least one of the plurality of interrelated elements of the enhance profile database **40**. These interrelated elements can be associated, related or grouped in any report format that the user **25** requires. The profile response to the profile query is sent to the user, preferably over the Internet to the web browser of the user." (Emphasis added by applicants.). Column 14, lines 34-44, state: "After the application engine **20** receives the profile query **177** from the user **25**, the application engine then generates a search based upon the profile query. The profile query may be a request for a listing of component or a "what if" request. The application engine preferably transmits to profile results **178** of the profile query in the form of a report. If, however, the user **25** submits a profile query **177** that modifies a record **170**, as would be performed if the user requires or desires a change to a component of the project **130**, a data set revision **120** order can be generated by the application engine **20**, as shown in FIG. 1." (Emphasis added by applicants.).

Thus, in the principal embodiment of the invention of Ananian, **the user receives a report** from the interactive profiling system in response to a user inquiry. Moreover, **the user's original plan is converted to a standardized data set, which may be very different from what was originally submitted by the user**.

In Col 20, lines 2-11, of Ananian it is stated that: "As an alternative embodiment of the present invention, the interactive profiling system **10** can export the profiled plan set **50**, preferably in CAD format, so that the user **25** can call up the plan from within a profile manager if they ever need to review it for future projects. After subscribing to the interactive profiling system, the user can access any user-submitted plan set **50**, which are all available in CAD format, or any other

appropriate format, for export. The exported CAD file can also be helpful to the builder during the project management phase." (Emphasis added by applicants.). If the user wishes, the profiled plan set **50** may be sent to the user. **This plan is not plan set 50, originally sent by a user**. Subject claims 1 and 7, as amended, recite that the user is sent a requested file converted into transmittable form, not one that is "profiled" or otherwise modified, as required by the teachings of Ananian.

Thus, since the user cannot manage CAD data in a plurality of disparate and diverse databases (subject claim 1) or **share** files across disparate databases (subject claim 7) without modification of the content thereof, applicants believe that Ananian clearly teaches away from the present claimed invention. As a result, Ananian cannot properly be combined with Cianfrocca as the Examiner has done, and applicants respectfully believe that the Examiner has failed to make a proper *prima facie* case of obviousness as is required under 35 U.S.C 103(a).

In view of the discussion presented hereinabove, applicants believe that subject claims 1-11, as amended, are in condition for allowance or appeal, the former action by the Examiner at an early date, being earnestly solicited.

Reexamination and reconsideration are respectfully requested.

Respectfully submitted,

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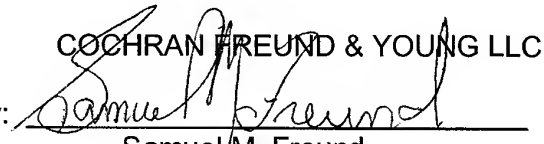
Date: September 05, 2006 By: 

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